

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 31564 of 2012 (U)

PETITIONER(S):

**PRASANTH PURUSHOTHAMAN, AGED 27 YEARS,
S/O.PURUSHOTHAMAN, NADUMURI HOUSE,
P.O.PUTHENCHIRA, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.**

**BY ADVS.SRI.M.R.VENUGOPAL
SMT.DHANYA P.ASHOKAN**

RESPONDENT(S):

- 1. THE SECRETARY, CHALAKUDY MUNICIPALITY,
CHALAKKUDY, THRISSUR DISTRICT, PIN - 682 316.**
- 2. CHALAKKUDY MUNICIPALITY, CHALAKUDY, THRISSUR DISTRICT,
PIN - 682 316, REPRESENTED BY ITS SECRETARY.**

BY ADV. SRI.SHEEJO CHACKO, SC

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P-1 TRUE COPY OF THE BUILDING PERMIT NO.BA NO.95/97-98
DATED 15-11-1997 ISSUED BY THE 2ND RESPONDENT.
- EXT.P-2 TRUE COPY OF PROVISIONAL ORDER DATED 9-3-2012.
- EXT.P-3 TRUE COPY OF THE SHOW-CAUSE NOTICE DATED 9-3-2012.
- EXT.P-4 TRUE COPY OF A REPLY DATED 12-3-2012 SENT BY THE
PETITIONER.
- EXT.P-5 TRUE COPY OF JUDGMENT DATED 13-3-2012 IN WPC
NO.6280/2012.
- EXT.P-6 TRUE COPY OF THE NOTICE DATED 13-4-2012 ISSUED BY THE
RESPONDENTS.
- EXT.P-7 TRUE COPY OF THE EXPLANATORY NOTE DATED 21-4-2012
SUBMITTED BY THE PETITIONER.
- EXT.P-8 TRUE COPY OF THE CONFIRMATION ORDER DATED 10.5.2012.
- EXT.P-9 TRUE COPY OF THE JUDGMENT DATED 4-6-2012 IN WPC
12652/2012.
- EXT.P-10 TRUE COPY OF THE NOTICE DATED 6-7-2012 ISSUED BY THE
RESPONDENTS.
- EXT.P-11 TRUE COPY OF THE COVERING LETTER DATED 29-9-2012 AND THE
POSTAL ACKNOWLEDGMENT.
- EXT.P-12 TRUE COPY OF NOTICE NO.E2-3909/12 DATED 7-11-2012 FROM THE
1ST RESPONDENT.
- EXT.P-13 TRUE COPY OF THE COVERING LETTER AND POSTAL
ACKNOWLEDGMENT DATED 19.11.12.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 31564 of 2012

Dated this the 30th day of January, 2015

J U D G M E N T

The petitioner is aggrieved by the delay in considering an application submitted by him before the respondent municipality for regularization of a construction. This Court, as per Ext.P9 judgment in WP(C) No.12652/2012, directed the petitioner to produce additional materials as required under Rule 144 of the Building Rules and also directed the respondents to pass fresh orders. Further proceedings were ordered to be kept in abeyance till a final decision is taken by the respondent municipality. The petitioner alleges that he has produced all documents along with Ext.P11 covering letter; and though the 1st respondent accepted the documents, he has not considered the same.

2. The learned Standing Counsel for the respondent municipality submitted that the petitioner was

..2..

directed to produce a fresh site plan.

Therefore, the writ petition is disposed of permitting the petitioner to produce the site plan if the same is not already produced. The respondent municipality is directed to consider and pass appropriate orders on the request for regularization within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI,
JUDGE

bka/-